



**Policy Name:** Responsible Sport Organization Background Check Policy

**Date of Issuance:** 12/13/2019

**Policy Owner:** Chief Security Officer

**Applies to:** NGBs, PSOs, HPMOs and Others (as below)

### **Purpose:**

The U.S. Olympic & Paralympic Movement is committed to the safety of athletes and participants involved in sport. The USOPC requires NGBs, PSOs, and HPMOs (hereinafter “Responsible Sport Organizations”) to conduct background checks in order to (a) foster a safe environment at the Olympic, Paralympic, Pan American, Parapan American, Youth Olympic Games, and other international sporting events as designated by the USOPC(collectively the “Delegation Events”), as well as Olympic & Paralympic Training Centers and Training Sites; (b) create a safe living, training, and competition environment for athletes and other individuals associated with Responsible Sport Organizations; and (c) protect persons at risk, including, but not limited to, minors and vulnerable adults.

All provisions of this policy are mandatory in substance and must be followed as applicable by each Responsible Sport Organization. This policy sets forth the minimum standards and outlines basic requirements for Responsible Sport Organizations to incorporate into their respective background check policies. Responsible Sport Organizations may adopt background check standards that are more demanding than this policy. While some provisions of this policy must be incorporated without substantive change by each Responsible Sport Organization in its own background check policy, other provisions of the policy establish mandatory principles that allow flexibility in the formulation of definitions by each Responsible Sport Organization.

*NOTE: Due to reporting and other limitations, information from a background check should not be relied upon as the sole basis for selection, but rather, as an important indicator in the overall selection process.*

### **Policy Statement:**

#### I. Application

This policy applies to Responsible Sport Organizations, which must ensure that their respective background policies cover, at a minimum, the following groups and individuals that are 18 years of age or older:

- A. Responsible Sport Organization employees and individuals the Responsible Sport Organization formally authorizes, approves or appoints to (a) serve in a position of authority over or (b) have regular contact with athletes.<sup>1</sup> This shall

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<sup>1</sup> Non-U.S. Citizen athletes, coaches, and personnel staying less than 14 days will be exempt from process if other safeguards to minimize risk can be put in place.

- include, but is not limited to, Responsible Sport Organization staff, officials, coaches, board members, coordinators, local affiliated administrator/directors, trainers, independent contractors, volunteers,<sup>2</sup> medical personnel, and other individuals authorized or nominated by the Responsible Sport Organization to work with athletes or other sport participants while at a Responsible Sport Organization Training Site <sup>3</sup>or competition event to which the Responsible Sport Organization sends athletes.
- B. Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by a Responsible Sport Organization, or otherwise have regular contact with Responsible Sport Organization athletes. (Example: Personal Care Assistants that are credentialed by a Responsible Sport Organization on the field of play at competitions or have access to a Responsible Sport Organization high performance training center.)
  - C. All athletes and alternates, training partners, and guides 18 years of age or older who are selected by a Responsible Sport Organization to participate in national or international team, or Delegation Events. Individuals referenced in this subsection shall have 45 days after reaching the age of majority (18 years of age), to come into compliance with this background check policy.
  - D. All athletes and alternates, training partners,<sup>4</sup> and guides 18 years of age or older that are selected by a Responsible Sport Organization to train at any Olympic & Paralympic Training Center, USOPC High Performance Training Center, or Responsible Sport Organization Training Site.
  - E. Other individuals who have regular contact with athletes as determined by the Responsible Sport Organization, in its discretion.

II. Background Check Search Components

- A. **Full Background Checks.** All full background check screens will include at least the following search components:
  1. Social Security Number validation;<sup>5</sup>
  2. Name and address history records;
  3. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico;
  4. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;

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<sup>2</sup> This policy may not apply to volunteers and others who only have incidental and observable contact with athletes at events.

<sup>3</sup> The term “Responsible Sport Organization Training Site” refers to any facility/location that is own, managed, or operated by the Responsible Sport Organization and used by the Responsible Sport Organization or its athletes for competitions and/or training, recovery or coaching purposes

<sup>4</sup> Non-U.S. Citizen training partners staying less than 14 days will be are exempt from process.

<sup>5</sup> Or suitable alternative identification verification process as determined by the background check vendor.

5. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
6. National Sex Offender Registry database search of all available states, plus DC, Guam, and Puerto Rico;
7. Multiple National Watch Lists;
8. SafeSport Disciplinary Records;<sup>6</sup>
9. Comprehensive International Records search U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years;<sup>7</sup>
10. Motor Vehicle Records of at least a 3-year history in the state of licensure; (if driving is required for position);

**B. Supplemental Background Checks.** All supplemental off-year background check screens will be conducted using at least the following search components:

1. Multi-Jurisdictional criminal database covering 50 states plus DC, Guam, and Puerto Rico
2. Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico; and
3. SafeSport Disciplinary Records.

### III. Timeframe

- A. Full background checks will be completed prior to the commencement of a new role or competition for all applicable individuals.
- B. At a minimum, full background checks will be conducted on all applicable individuals every two years using at least the background check search components referenced in Section II.A.
- C. A supplemental, partial, background check will be conducted in the off-years using at least the background check search components referenced in Section III.B of the Background Check Procedures

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<sup>6</sup> Until the process is automated, this component will not be enforced.

<sup>7</sup> International record checks vary from country to country. The background check vendor will provide comparable search components depending on the laws of that specific country.

#### IV. Responsible Sport Organization Training Sites

Each Responsible Sport Organization Training Site shall require criminal background checks in compliance with the background search components in Section II.A, for those individuals it formally authorizes, approves or appoints (a) to serve in a position of authority over athletes, or (b) to have regular contact with athletes.

#### V. Media

Individuals affiliated with the media, who are authorized or credentialed by the Responsible Sport Organization to access a Training Site or attend a competition ran by the Responsible Sport Organization are required to undergo a criminal background check if they have unsupervised one-on-one interactions with athletes.

#### VI. Third-Party Vendors/Contractors

Contracts with third-party vendors/contractors that are (a) in a position of authority over or (b) in regular contact with athletes must include the background check requirements set forth in this policy. The contracts shall also specify that certification must be provided by the vendor/contractor upon request by the Responsible Sport Organization, to establish that the mandated background checks were conducted.

#### VII. Partner Programs

When partnering with community organizations for events, the Responsible Sport Organization shall ensure that the partnership agreement includes language regarding background check requirements. The agreements shall also specify that certification must be provided by the community organization upon request by the Responsible Sport Organization, to establish that the mandated background checks were conducted.

#### VIII. Background Check Report Review

**A. Responsible Sport Organization-Initiated Background Checks:** Any Responsible Sport Organization-initiated background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty,<sup>8</sup> for any of the below criminal offenses will be subject to the Responsible Sport Organization's policies and procedures to determine the individual's level of access and involvement:

1. Any felony<sup>9</sup>.

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<sup>8</sup> A "disposition or resolution of a criminal proceeding, other than an adjudication of not guilty" shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an *Alford* or *Kennedy* plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement, or the existence of an ongoing criminal investigation, a warrant for arrest, or any pending charges.

<sup>9</sup> For purposes of these procedures, the term "felony" shall refer to any criminal offense punishable by imprisonment for more than one year.

2. Any misdemeanor involving:
  - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;<sup>10</sup>
  - b. Any drug related offenses;
  - c. Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
  - d. Violence against a person (including crimes involving firearms and domestic violence);
  - e. Stalking, harassment, blackmail, violation of a protection order and/or threats;
  - f. Destruction of property, including arson, vandalism, and criminal mischief; and
  - g. Animal abuse or neglect.

**B. Secondary Review of Responsible Sport Organization Determinations:** Responsible Sport Organizations must comply with the USOPC Background Check Policy and Procedures as it relates to situations under which a secondary review of Responsible Sport Organization determination will be conducted by the USOPC.

IX. Authorized Background Check Organization

- A. Responsible Sport Organizations are encouraged but not required to use the National Center for Safety Initiatives (NCSI) as the background check vendor. NCSI is a full-service screening organization that works in accordance with the *Recommended Guidelines*© established by the National Council of Youth Sports (“NCYS”).
- B. In order to seek an exemption from using the services of NCSI, an email including the following information should be submitted to [Background.Checks@USOC.org](mailto:Background.Checks@USOC.org) to enable the USOPC to review the search components of the Responsible Sport Organization’s preferred background screening vendor and review the Responsible Sport Organization’s background check policy:
  1. Name of Vendor;
  2. Background Check Search Components;

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<sup>10</sup> Any participant that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must be reported

3. Copy of Responsible Sport Organization's Background Check Policy;  
and
4. Point of contact at Responsible Sport Organization